

**UNITED STATES DISTRICT COURT
DISTRICT OF MAINE**

UNITED STATES OF AMERICA)	
)	
v.)	2:21-cr-00150-JAW
)	
JEFFREY RICHARD)	

SPEEDY TRIAL ORDER

This matter comes before the court upon the Defendant's Unopposed Motion to Continue Trial, Speedy Trial Waiver, and Incorporated Memorandum (Docket entry 26).

1. Counsel represents Jeffrey Richard is facing a multi-count indictment charging tax evasion and failure to pay employment tax. (ECF No. 1). Mr. Richard is on bond and working. (ECF No. 15). The case is currently on the July 5, 2022 trial list. (ECF No. 36).

2. Counsel for the defense and government have met and are working on a case resolution that will not require a trial. A combination of factors support a request for a continuance. On May 9, 2022, the Court granted a motion seeking permission to prepay financial obligations. ECF # 23. The Defendant has made payments of about \$9,000 towards his tax obligation since the granting of the order. The Defendant has a major contract underway and completion of the contracted work will permit the defendant to continue paying his tax obligations. The parties are discussing a case resolution which incorporates addressing a portion of the owed taxes. Time is needed to allow the defendant to address the tax obligation, counsel to continue discussions of the extent of the back tax obligation and the parties to fashion a plea agreement. Defense counsel needs additional time to confer with the Government and the defendant as part of the effort to reach a case resolution.

3. The interests of justice to be served by the requested exclusion of time outweigh the interests of the defendant and the public in a speedy trial because the defense needs adequate time to review and evaluate the evidence and for resolution discussions. The Speedy Trial Act, 18 U.S.C. §3161(h)(7)(A)(B)(ii) allows the court to enlarge time periods and exclude from calculation the time period involved here as the ends of justice served by this enlargement to allow adequate preparation by defense counsel outweigh the best interest of the public and the defendant in a speedy trial.
4. After full consideration of the representations of counsel, and of the record, the Court incorporates such representations as findings of fact. Taking into consideration the factors set forth in Title 18, United States Code, Section 3161(h)(7)(B), the Court can and does find that the ends of justice served by such an enlargement of time and continuance of trial outweigh the interests of the public and of the Defendant in a speedy trial.

IT IS HEREBY ORDERED THAT:

1. The Motion is hereby **GRANTED**.
2. The trial is continued to the September 6, 2022 trial list.
3. The time period from July 5, 2022, through September 6, 2022 is hereby excluded from calculation under the Speedy Trial Act, 18 U.S.C. ' 3161 *et seq.*

SO ORDERED.

Dated this 1st day of June 2022.

/s/ John A. Woodcock, Jr.
JOHN A. WOODCOCK, JR.
UNITED STATES DISTRICT JUDGE